

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

CHRISTOPHER FERNANDEZ,

Defendant.

22-CR-044 (LTS)

ORDER

Laura Taylor Swain, Chief District Judge:

On March 23, 2023, the Defendant, Christopher Fernandez, was sentenced principally to a term of imprisonment of 84 months. On November 6, 2023, and November 7, 2023, the defendant filed two motions requesting that this court consider a sentence reduction pursuant to Amendment 821 to the Sentencing Guidelines, which went into effect on November 1, 2023, and applies retroactively. The Court denied Defendant's motions on November 22, 2023, finding the Defendant ineligible for the reduction because he was originally sentenced to the statutorily imposed mandatory minimum, and the Court therefore lacked the power to resentence Mr. Fernandez to a shorter period of custody. (Docket entry no. 37.)

On December 19, 2023, Mr. Fernandez submitted an identical letter motion requesting a sentence reduction. The Court therefore denies Mr. Fernandez's motion for the same reasons stated in the November 22, 2023 order. This resolves docket entry no. 39. The Clerk of Court is respectfully directed to mail a copy of this order to Mr. Fernandez at the below address.

SO ORDERED.

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge

Dated: June 27, 2024
New York, New York

Mail to:
Christopher Fernandez
Reg. No. 68647-054
FCI Fort Dix
P.O. Box 2000
Joint Base MDL, NJ 08640